

**WEST VALLEY CITY
PLANNING COMMISSION
MINUTES**

July 9, 2014

The meeting was called to order at 4:00 p.m. by Chairman Phil Conder at 3600 Constitution Blvd., West Valley City, Utah

WEST VALLEY CITY PLANNING COMMISSION MEMBERS

Brent Fuller, Jack Matheson, Terri Mills, Phil Conder, Clover Meaders, and Latai Tupou

ABSENT

Harold Woodruff and Barbara Thomas

WEST VALLEY CITY PLANNING DIVISION STAFF

Steve Pastorik, Steve Lehman, Jody Knapp, and Nichole Camac

AUDIENCE

Approximately seven (7) people were in the audience

SUBDIVISION APPLICATIONS

SV-1-2014

Alley Vacation – Granger Park Subdivision 1930 West 3255 South

BACKGROUND

West Valley City is proposing to vacate two existing walkways in the Granger Park Subdivision. This subdivision was recorded with the Salt Lake County Recorder's Office in December 1954. The walkways in question were platted as part of that subdivision and are located between lots 36 & 37, lots 54 and 55 and lots 74 and 75.

The existing condition of these walkways is not very good. It appears that portions have some type of hard surface, but mostly consist of broken down gravel, and overgrown weeds. After discussing the matter with the Public Works Department, the City has not actively maintained any of these walkways.

As discussed during the study session, these walkways were likely platted to provide access from one part of the subdivision to the other. Sidewalks do not exist in the subdivision and these walkways would have been one way to provide shorter walking distances without having to use the street. There appears to be no purpose for the walkway on the north side of 3255 South. It dead-ends into the back of a residential lot without providing a connection to the north. Should residents desire pedestrian access between blocks, there are existing roads that could serve this purpose.

Although these types of walkways are not common, they do appear in some of the earlier subdivisions. Most in West Valley City have been vacated for lack of use and being a maintenance problem for the adjoining land owners. The vacation of these alleys generally allows for property owners to take better care of these areas than has previously been done.

If the City does vacate these walkways, the walkway would be divided down the middle with each adjacent property owner taking three feet. There have been situations where one owner has expressed interest in the entire walkway. They would simply need to work with their neighbor to have this deeded over to them.

According to City Ordinance, streets and/or alley vacations shall be reviewed by the Planning Commission with a recommendation to the City Council.

RECOMMENDATION

1. Approval of the alley vacation.
2. Continue the application due to issues raised at the public hearing.

Applicant:

West Valley City

Favored:

Daniel Hubertz
1926 W 3300 S

Discussion: Steve Lehman presented the application. Phil Conder asked when the homeowners would be required to begin maintaining their portion of the vacated walkway. Steve replied that once City Council approves the vacation an ordinance is recorded and each land owner would acquire 3 feet which they would be required to maintain. He indicated that property owners typically absorb their portion of the vacated walkways into their property and it's often difficult to see where they once were. Latai Tupou asked if there is a timeline provided to landowners.

Steve replied that a letter would be sent out and the City would monitor the progress. He indicated that it's understood that improvements can't always happen quickly due to cost, etc.

Daniel Hubertz, a neighbor, stated that he has had a lot of problems with the walkway involving vandalism, drug and alcohol use by people, etc. He indicated that he would like to see the walkway closed and added that there are many dangerous situations that he has experienced because of the walkway. Mr. Hubertz stated that he would rather work with his neighbor and figure out what to do with the property instead of keeping the walkway open. He indicated that he has been maintaining the walkway by keeping weeds down and out of his yard and would be happy to have this no longer be an issue.

Motion: Commissioner Mills moved for approval.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Chairman Conder	Yes

Unanimous-SV-1-2014- Approved

S-9-2014

Summers Subdivision

3662 South 6000 West

R-1-8 Zone

2 Lots

BACKGROUND

Austin Summers, is requesting preliminary and final plat approval for the Summers Subdivision. The proposed subdivision will divide an existing parcel into two lots. There is an existing dwelling on what will become lot 1 in the subdivision. Lot 2 will be created for a new single family dwelling. The subdivision is bordered on the south by the Valley Pointe Phase 2 Subdivision. It is also bordered on the north, east and west by existing City streets.

STAFF/AGENCY CONCERNS:

Fire Department:

- * Fire hydrant to be within 250 feet of the new dwelling.

Granger Hunter Improvement District:

- * Project will need to run availability for water, sewer and fire protection.
- * Subject to design and review inspections.

Utility Agencies:

- * Subject to all standard easements.

Public Works:

- * Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- * Will need to replace or repair existing improvements, i.e., curb, gutter, or sidewalk that may be damaged or may become damaged as a result of new construction.
- * Revisions to the plat required.
- * Will need to coordinate subdivision name with County Auditor's Office.

Building Inspections:

- * Will evaluate ground water issues at the building permit stage.

ISSUES:

The applicant is proposing a new subdivision to be known as the Summers Subdivision. The proposal will create an additional building lot from an existing parcel. This property is not part of a formal subdivision, but is located adjacent to the Valley Pointe Phase 2 Subdivision to the south.

The subject property was rezoned in August 2013. As part of the rezone, the property owner agreed to the following:

- The new home will be a minimum of 1600 square feet and will comply with the City's housing standards.
- Fence along the north side to be repaired
- General maintenance of the corner lot to include upkeep of the parkstrip. Shrubs and trees along the east property line of 6000 West to be trimmed.

Staff will coordinate these improvements as the subdivision moves forward.

The subdivision will consist of 2 lots on .46 acres. The existing dwelling will remain on lot 1 and will meet all setback requirements in relation to the new property line. Lot 1 will be 9,157 square feet in size, while the new lot will be approximately 10,771 square feet in size. Both the area and frontage requirements exceed City standards.

Access to the subdivision will be gained from 6000 West and from either Brook Hollow Drive and/or Brook Hollow Court. All public improvements are existing including curb, gutter, and sidewalk. The applicant will need to coordinate any proposed changes to the existing improvements with the City Engineering Division. It should also be noted that the applicant will be responsible to replace or repair existing improvements that may be damaged or may become damaged as a result of construction along the frontage of the new lot.

The applicant will need to address the potential of ground water impacts at the time of the building permit. The Building Official, in conjunction with the Engineering Division will do an on site investigation and will evaluate surrounding development to determine if a soils report is needed. During the subdivision process for the Valley Pointe Phase 2 Subdivision, ground water

was not encountered.

STAFF ALTERNATIVES:

- A. Approval of the Summers Subdivision subject to a resolution of staff and agency comments.
- B. Continue the application to address issues raised during the public hearing.

Applicant:

Austin Summers
3676 S Jodie Lane

Discussion: Steve Lehman presented the application. Austin Summers, the applicant, stated that he grew up in this neighborhood. He indicated that he purchased this property and has put a lot of money into tree removal and trimming, removing the old fence, and installing a new fence soon. Terri Mills asked how the new home will be oriented. Mr. Summers stated the home will face north and be accessed from the west.

Motion: Commissioner Fuller moved for approval.

Commissioner Mills seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Chairman Conder	Yes

Unanimous-S-9-2014- Approved

S-10-2014

Apple Orchard Estates Subdivision – Final Plat

3610 South 6000 West

R-1-8 Zone

16 Lots

BACKGROUND

Mr. Paul Thomas, is requesting final plat approval for the Apple Orchard Estates Subdivision. The subject property is located at 3610 South 6000 West and is zoned R-1-8. The subdivision received preliminary approval in January 2008.

STAFF/AGENCY CONCERNS:

Fire Department:

Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

Project will need an availability letter for water, sewer and fire protection.
Project to design and review inspections.

Utility Agencies:

Subject to all standard easement locations.

Public Works:

Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Will need to evaluate how developer will handle tail water.

Will need to transition improvements adjacent to 6000 West and beginning at the southeast corner of lot 101.

Coordinate storm water drainage with Public Works.

May need to update soils report prior to plat recordation.

Building Inspections:

Follow recommendations outlined in the soils report.

ISSUES:

The proposed subdivision consists of 16 lots on 5.8 acres. This equates to an overall density of 2.7 units per acre. Lot sizes range from 11,101 to 15,012 square feet. The average lot size in the subdivision has been calculated at 12,430 square feet.

The subject property was rezoned a number of years ago. A development agreement was required which established square footage and masonry requirements of new homes. These requirements are less than what is presently required by ordinance. However, after discussing the matter with the applicant, staff is assured that there will be no problem meeting and/or exceeding the current zoning ordinances.

Access to the subdivision will be gained from 6000 West. For the first 320 feet, the width of this road will be 50 feet. Due to the narrow width, a parkstrip is not possible. However, at the southeast corner of lot 101, the width will transition to our standard 54-foot right-of-way. This will allow the City's standard improvements of 29 feet of asphalt, 5 feet for curb & gutter, along with a 5-foot parkstrip and 5-foot sidewalk. The developer has coordinated the access with the owner's of property adjacent to 6000 West as additional right-of-way is required for the new roadway to be built.

The subject property has been irrigated for many years. The Public Works Department will require that on-site ditches be piped and that provisions be made to handle any tail water. The developer will need to coordinate the irrigation system, piping and the resolution for tail water as part of this application. The developer will also need to coordinate this resolution with downstream water users.

As with all new subdivision development, there is a concern with the potential of ground water impacts. During the preliminary review, a soils report was submitted. It indicated that groundwater was not encountered to a depth of 17 feet. Given the time frame from when this

project received preliminary approval, the Public Works Department may require an updated report.

The subdivision plat contains two flag lots in order to better utilize the southeast portion of the development site. The area calculation of these lots exceeds the minimum requirements of the flag lot ordinance. This ordinance requires that flag lots be a minimum of 12,000 square feet excluding the stem portion of the lot. Square footage proposed for these lots is approximately 13,700 square feet.

Lot 1 is adjacent to property zoned A. City ordinance requires that a 6-foot chain like fence be installed at this location. However, as the adjacent property is not the typical agricultural property, fencing may not be needed. Staff will recommend that the applicant coordinate this matter with the land owner to determine if fencing is needed.

STAFF ALTERNATIVES:

- A. Grant final plat approval for the Apple Orchard Estates subdivision subject to the following conditions:
1. That compliance be made with Granger Hunter Improvement District regarding water line extensions, sewer connections and fire protection.
 2. That the subdivision name and interior street names be approved by Salt Lake County.
 3. That recommendations outlined in the soils report be followed along with any other recommendations from the City Engineer and Building Official prior to plat recordation.
 4. That interior street widths and cross sections be reviewed and approved by the Public Works Department.
 5. That all matters pertaining to the existing irrigation system be addressed with the Public Works Department and water users as outlined in the analysis.
 6. That the developer resolve all staff and agency concerns.
 7. That the developer coordinate fencing on the east side of lot 1 with the adjacent land owner. If the property owner anticipates agricultural uses, a 6-foot chain link fence will need to be installed. Also, that a note be placed on the plat regarding the agricultural uses and their potential impacts to the subdivision.
- B. Continuance to allow the developer an opportunity to address issues raised during the public hearing.

Applicant:

Paul Thomas
3622 S 6000 W

Discussion: Steve Lehman presented the application. Jack Matheson asked if anyone uses the irrigation water north of this subdivision or if the water goes into the City's drain system. Steve stated there are some larger lots to the north but he isn't sure. Terri Mills asked if the fence would

be required along the street next to the agriculture property. Steve replied yes but stated staff is open to working with the property owner and developer. He stated that if the existing fence is in good condition it wouldn't make sense to require a new one.

Paul Thomas, the applicant, stated that there is an 18 inch pipe on the west side of the property which splits east and south and then meets in the northeast corner. He indicated that these are used. Mr. Thomas stated that when a soils report was done previously there was no water found up to 15 feet. He indicated that the water table is not high in this area.

Motion: Commissioner Tupou moved for approval subject to the 7 items listed by staff.

Commissioner Meaders seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Chairman Conder	Yes

Unanimous-S-10-2014- Approved

CONDITIONAL USE APPLICATIONS

C-34-2014

Pizza Rev (Jeff Meyer)

2927 S. 5600 W. Suite D

Restaurant liquor license

C-2 Zone (1.79 Acres)

Introduction:

The applicant, Jeff Meyer, is requesting a conditional use for a restaurant liquor license at 2927 South 5600 West in Suite D. The property is zoned general commercial (C-2). A restaurant with a liquor license is listed as a conditional use in the C-2 Zone. The General Plan designation is general commercial and the property is located within the 5600 West Overlay Zone. The surrounding properties are all zoned C-2 and the uses are commercial retail and restaurants.

The Pizza Rev restaurant is part of a multi-tenant building that is also occupied by Buffalo Wild Wings and Zupas. They would like to apply for a limited restaurant license through the Department of Alcohol and Beverage Control (DABC) and serve heavy beer and wine, therefore becoming a restaurant with liquor under the West Valley City Code.

A sample menu has been attached for review and this location meets all of the spacing requirements set forth in section 7-6-1011 of the West Valley City Code.

Staff Alternatives:

Approval of the conditional use for Pizza Rev, a restaurant with a liquor license, subject to the resolution of any concerns raised at the public hearing as well as the following conditions:

1. Shall comply the spacing requirements for alcohol establishments as set forth in the West Valley City Municipal Code.
2. Must meet the requirements of all affected departments and agencies, including but not limited to, the Department of Alcohol and Beverage Control.

Continuance for reasons determined at the hearing.

Applicant:

Jeff Meyer
11788 E Silver Spur Lane
Draper, UT 84020

Discussion: Jody Knapp presented the application. Jeff Meyer, the applicant, stated that the building has passed Fire, Health, and Building Inspections. He indicated that the restaurant is hoping to open July 17 and wants the ability to sell beer and wine.

Motion: Commissioner Matheson moved for approval subject to the 2 staff conditions.

Commissioner Tupou seconded the motion.

Roll call vote:

Commissioner Fuller	Yes
Commissioner Matheson	Yes
Commissioner Meaders	Yes
Commissioner Mills	Yes
Commissioner Tupou	Yes
Chairman Conder	Yes

Unanimous-C-34-2014- Approved

PLANNING COMISSION BUSINESS

Approval of Minutes from June 25, 2014 (Regular Meeting) **Approved**

Approval of Minutes from July 2, 2014 (Study Session) **Approved**

There being no further business, the meeting adjourned at 4:25 p.m.

Respectfully submitted,

Nichole Camac, Administrative Assistant